UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

NICK DUVALL, individually and on behalf) Case No.: 3:17-cv-269
of all others similarly situated))
Plaintiff,) JURY TRIAL DEMANDED)
v.)
AMERICAN NATIONAL INSURANCE)
COMPANY,)
Defendant.))

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a), the Plaintiff, NICK DUVALL, through its undersigned counsel, hereby gives notice of its voluntary dismissal without prejudice of Defendant AMERICAN NATIONAL INSURANCE COMPANY, from this action.

Plaintiffs commenced this action on September 7, 2017. A Notice of Dismissal is appropriate, and a Court order is not required as Defendants have not yet answered nor filed a motion for summary judgment. *See* Federal Rule of Civil Procedure 41(a)(1)(A)(i). Accordingly, American National Insurance Company may be dismissed upon Plaintiff filing this notice.

Dated this 7th day of December 2017

Respectfully Submitted,

Hughes Ellzey, LLP

/s/ Jarrett Ellzey

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ATTORNEYS FOR PLAINTIFF AND THE PROPOSED CLASS

CERTIFICATE OF SERVICE

On December 7, 2017, the foregoing document was electronically filed with the Clerk of Court using CM/ECF. Defendant has not answered or otherwise appeared in this case; however, the undersigned has corresponded with Defendant via email and will provide a file-stamped copy of this notice upon filing.

/s/ Jarrett Ellzey
Jarrett L. Ellzey